

DESEATED HIS BRIDE

Mrs. Frank Gaylord Sues Husband For Divorce.

JUDGE HIGGINS REVERSED

ZION'S BANK SUES J. E. LANGFORD'S CREDITORS.

Salt Palace Lien Holder Wants First Money—Fire Quicker Than Process of Law—Consent Judgment Against Dalton & Lark—Dickson's Illness Interrupts Trial.

Daisy V. Gaylord, nee Shields, commenced an action yesterday in the district court against her husband, Frank I. Gaylord, for a decree of divorce. The defendant is a son of wealthy parents, residing at Butte, but he is believed now to be a resident of Bridgeport, Conn.

According to the complaint, drawn by Zane & Rogers for Mrs. Gaylord, it is alleged that plaintiff and defendant were married at Ogden on Dec. 17, 1897, but that there is no issue from the union. On June 3, 1898, Gaylord, the plaintiff, committed adultery and abandoned her wife and child, and since that time he has utterly failed to provide for her the common necessities of life. In addition to the decree of divorce, Mrs. Gaylord prays to be restored to her maiden name.

Mrs. Gaylord is a daughter of Colonel W. J. Shields, a well known Salt Lake City man, who was killed in the Spanish war. The young lady is esteemed by hosts of friends for her many graces and accomplishments.

ERRONEOUS NON-SUIT.

Supreme Court Reverses Judge Higgins in a Beaver Case.

An opinion was rendered by the supreme court yesterday in the case of J. E. Bakes against the Beaver, reversing the judgment of the lower court in granting a non-suit to defendant, a corporation doing a general merchandise business at Beaver.

From the record in the case it appeared that plaintiff sued for payment of two promissory notes of \$500 each, due in six months. W. H. Bakes, the manager, and Moses Edwards, a director, signed the notes in their individual capacities, but it was alleged that the intention was that the borrowing and agreeing to pay was an act for and on behalf of the company, in whose business the money was used.

At the trial the corporation set up that the borrowing was done by Edwards individually, with Bakes as surety to pay a debt to the company. This point was disputed by the evidence.

Relative to the lower court granting defendant's motion for a non-suit, the supreme court opinion held that the ruling was erroneous because plaintiff's contention established a prima facie case. The opinion added that appellant's proof in the case was clearly of such a character as to preclude the judgment of non-suit.

SUIT TO QUIET TITLE.

J. E. Langford's Mortgagee and Judgment Creditors In Court.

Zion's Savings Bank & Trust company is suing numerous defendants to quiet title in plaintiff to a part of lot 2, block 2, plat 1, Salt Lake City survey. It is alleged in the complaint that plaintiff took a deed to the property from Jeremiah E. Langford, now a bankrupt, in satisfaction of a mortgage of \$3,000, but that the grantor's right of redemption, by agreement, had not yet expired.

At the time of the conveyance Davis, Howe & Co., W. F. Mitchell and John Fowler were creditors of Langford, and latterly their claims matured to judgment liens upon the mortgaged premises. These creditors are now made defendants in the suit, and it is alleged why the bank's deed should not be assigned a mortgage and a first lien upon the property, as against the other creditors.

Ferguson, Cannon & Tanner are plaintiff's attorneys.

WANT FIRST LIEN.

Glass & Paint Company Alleges Salt Palace Owed It First.

An action was commenced yesterday in the district court by the Glass & Paint company against the Utah Salt Palace association, now in the hands of a receiver, demanding that its claim against the Palace in the sum of \$644.45 be declared a lien prior to that of any other creditor, and praying that the rank of all creditors established by the court. The action is in the nature of an answer and cross-complaint to the petition in receivership of the Salt Lake Hardware company against the Salt Palace association. Williams, Van Cott & Sutherland are attorneys for cross-complaint.

FIRE QUICKER THAN LAW.

No Further Need of Railroad Company's Suit.

Plaintiff yesterday withdrew the suit of the Oregon Short Line Railroad company against Joshua E. Nichols. This was the action whereby the railroad company demanded that defendant be required to raise to the ground his old abandoned brick concentrator building in North Salt Lake. It was alleged that the unsafety of the walls endangered the operation of the Short Line train, but shortly after the filing of the complaint the fire so completely demolished the structure that the walls fell in.

JUDGMENT BY CONSENT.

Controversy Between Ore Sampler and Mine Settled.

The two cases of the Taylor & Brunton Ore Sampling company against the Dalton & Lark Gold, Silver & Lead Mining company were yesterday merged into one for the purpose of settlement. The defendant is demanding that it have an answer and cross-complaint, and by consent of the parties Judge Cherry ordered judgment entered for plaintiff for \$2,538.11 and \$18.40 costs. By stipulation it was agreed that execution of the judgment should not issue for sixty days.

JUDGE DICKSON ILL.

Trial of Damage Case Postponed For This Reason.

Owing to the sudden illness of Attorney W. H. Dickson, of counsel for defendants, the trial of the eminent damage suit of J. W. Houston against David Keith and James Ivers was postponed yesterday by Judge Cherry. When court adjourned on Wednesday the defense was still out but through with the case, and Judge Dickson went home with a threatened attack of pneumonia. It is not deemed probable that the trial of the case can go on today.

MOVE FOR NEW TRIAL.

Effort Made to Retry Damage Suit Against Railroad.

Margaretha Haun, whose husband was killed on the Rio Grande Western crossing at Hatch, March, yesterday filed a motion for a new trial of her damage suit against the railroad.

SOME OF THE COKE CAY TO BLACK SOLD

Demonstration of Its Fitness For Fuel Purposes.

NEW PROCESS IS CHEAP

COAL IS TREATED FOR THIRTY CENTS PER TON.

Great Future Is Assured For the Iron County Coal and Iron Fields—Colorado Company Has Tied Up a Large Tract of Iron Lands—Bright Outlook.

The interest created by the Ladies' Literary club when it brought the choice collection of pictures suitable for schools and put it on exhibition in their club rooms recently, is having an influence that is already being felt among the schools here, and is proving an additional incentive to study those things which the world, in all ages, has pronounced good. It is decided to retain the collection so that the children may get the full benefit by having it hung in the corridors of the various schools. This movement is to be studied and explained.

Pictures are being so generously recognized as a most potent factor in education that it has led to public school art lectures being formed in most eastern cities for the sole purpose of placing the best art productions in casts and pictures on the walls of public schools. This movement is meeting with wonderful success, and is in the right direction from the social and economic standpoint.

The Ogilvie school is the first on the list to have the exhibition, which will be held next Monday. In the evening an interesting programme will be presented. The Ogilvie school teachers and pupils are planning to make the building very interesting on the occasion of the art exhibit. During the day the pictures will be explained and studied by the children. In the evening, beginning at 8 o'clock, a programme will be presented, in which patrons, teachers and children will take part. The Webster school will hold its art exhibition next Wednesday, as the principal drew second place in the drawing by lot. The Sumner school has third place, and the Jackson fourth. The school art exhibitions will be announced later.

WASHINGTON MEMORIAL DAY

UTAH ASSOCIATION WILL HOLD SERVICES.

Committees Appointed at a Meeting Held Yesterday—Utah Has Raised \$1,200 Towards Memorial Fund.

The state committee of the George Washington Memorial association met yesterday morning at the Kenyon to arrange for a commemorative service to be held Dec. 17, the 100th anniversary of the death of Washington. The memorial associations throughout the country will join in commemorative services, and it was decided that the Utah branch should also honor the date.

A committee of arrangements was appointed, consisting of Mrs. George F. Downey, chairman; Mrs. Fabian, Mrs. Kingsbury, Mrs. Dart and Mrs. P. S. Richards. On the invitation committee are Mrs. Hoyt Sherman, Mrs. A. V. Taylor, Mrs. M. A. Caine, Mrs. S. W. Morrison and Mrs. G. G. Sharp.

The proposition of the national committee to hold a great fair in New York in 1900 was received with favor, and the chairman was instructed to appoint a subcommittee to make a proper exhibit from Utah.

At the annual meeting of the national association, which takes place in Washington, Dec. 12, Utah will be given the place of honor on the programme, as it was the first state to send in its quota of \$1,000 towards the memorial fund.

Mrs. Salisbury reported great progress in the affairs of the national association, and stated that the name of the citizen giving the largest sum towards the memorial building would be placed upon a bronze tablet over the entrance. The largest sum donated for this purpose is \$10,000, which was recently given by a Massachusetts man.

The charter members present were given handsome certificates of membership.

The treasurer's report was read and accepted. It showed in all \$1,200 raised in Utah, \$1,000 towards permanent fund and \$200 for the current fund.

HEARD AND SEEN

IN TIMMONY'S COURT

Judge Timmony thought he was in Ireland yesterday, being confronted by the names of O'Hara, Riley and O'Connor when court convened. To cap the climax, Mickey O'Connor and Scully Rankin ambled in as Divil played "The Weir" of the Green on his knee-cap with a pambolier.

A. S. Riley broke the ice. He admitted reading a letter "S" cake walk on the streets of Zion, but maintained that the same was customary in Flint. He was consigned to that district.

Charles O'Hara had fallen before a couple of schooners, then suddenly lost his memory. He even had forgotten his right name and tried to run the desk sergeant into booking "Conley Hughes." All this was straightened out and O'Hara took a new lease on life and went home.

Pat O'Connor, charged with house-breaking, was held in bond of \$500. He could give Annanias cards and spades, and when it came to cross-examining, he made Hobo Lawyer Smith and Brooky Lightfoot look like a couple of white rabbits. The latest sum up on the testimony of Officer Simpson, Will Ford, Paul Smith of the Salt Lake Cleaning company, Mrs. Mammie Jenkins, housekeeper at Ford's, and Mrs. Benson, a boarder at the same place. The clothes stolen from C. E. Hauver's room were identified by Smith as having been left there Sunday morning, and Mrs. Benson had seen a man coming from the room at 5 p. m. Monday with the clothes on his arm. She could not positively identify O'Connor, but it was somebody a lot like him. The defendant had told Officer Simpson conflicting stories when arrested with the clothes in his possession at the Klondike saloon.

O'Connor made a statement under oath, which proved much to his sorrow, for Assistant County Attorney Gunter simply tied him in a series of knots. "I'd like to have an opportunity," muttered the defendant, at one stage of the proceedings. "I can do better detective work than the police," he claimed that the clothes were not his. He told the officer they were "just for a josh."

Saturday Only.

Special great bargain in BOYS' KNEE PANTS SUITS.

Choice of 4 for \$1.00 and \$1.50 knee pants suits, 4 for \$14.00, for one day only, \$1.50 a suit.

F. AUERBACH & BRO.

NEW ST. JAMES.

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There was another important deal in business recently yesterday. W. H. H. Spofford, through W. E. Hubbard, the L. A. Clayton property, known as Nos. 35, 37 and 39 West South Temple, for \$15,000.

The lot has a sixty-six-foot frontage on South Temple and is 33 feet deep. Upon it is a brick business block, 24,000 square feet high and basement. The building was recently leased for five years by the L. A. Clayton property, known as Nos. 35, 37 and 39 West South Temple, for \$15,000.

Mr. Kraft had a fire burning in the grate in the front room, the fuel supplied being the iron county product after it had gone through the Hemingway process.

Mr. Kraft's object was to demonstrate to his guests that the fuel could be utilized for household purposes as well as for smelting. The fuel produced a soft blue flame, similar to anthracite coal and is entirely free from soot.

A Cheap Treatment.

The coal, so Mr. Kraft says, can be treated by the Hemingway process for about 30 cents a ton, so to use the coke for household purposes would not be an expensive luxury. It takes, however, about two tons of coal to make one ton of coke.

Mr. Kraft is anxious to make a test of the product at the Silver Brothers foundry to see what can be done with it in the way of smelting iron. Mr. Kraft and Asaph Brigham, a young man who has worked with him in the enterprise, saw through tests made with the coke in the smelting of iron in Chicago.

No date has been decided upon as yet by Mr. Silver, so it is uncertain just when he will make the tests at his foundry.

The Mormon church owns about 1,000 acres of the coal lands in Iron county and it is the desire of Apostle Young that the church shall receive the benefits from the sale of the coal.

Market on the Coast.

Mr. Kraft thinks the principal market for the coke in the future will be on the Pacific coast and as there are unlimited bodies of magnetic iron of a high-grade near to the coal fields, he feels certain the industry will assume large proportions and eventually the Pacific coast will become independent of the iron and steel plants of the east.

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A chest of boxes to receive the goods of prisoners was installed at police headquarters yesterday. It is a great improvement. Chief Hilton is also considering a change in the call box system. He is planning to have boxes in order to attract the patrolmen on his beat when wanted. It frequently occurs that an officer is wanted at police headquarters, when, with the present limited force, none can be kept there in this way, the light on the box will be of great advantage.

Mrs. Kilpatrick swore out a warrant for her neighbor, Higson, yesterday, and the fate of the clothes line will be recounted before Judge Timmony.

Chief Hilton is busy preparing his annual report to the city council.

Word reached headquarters yesterday of the disgraceful conduct of a man toward young girls at the Lowell school during noon hour. He has been there for two or three days past, and the police want him.

Miss Helen Sheppard of 526 East Seventh South lost an open-faced watch on the street yesterday.

The Klondike saloon on West South Temple street was raided last night for bad characters by Officers Randolph and Dillon. The following were bagged: William Rogers, Pat Farrell, Pat Daly and James Samour.

Daly was given an ex-convict, and Rogers answers the description of a man who tried to hold up Joseph Thomas opposite the Metropolitan hotel several nights ago. He eluded the police by holding up a running Scamou had a pair of Indian clubs with him, which he says he carried thirteen years.

C. N. Curran, who possessed, in addition to an imposing load of tanglefoot, a big roll of bedding, lodged within the palace last night.

MORMON ELDERS WHIPPED.

Driven Out of Kentucky County, Tenn., By a Mob.

A special dispatch from Chattanooga to the St. Louis Globe-Democrat, dated the 20th, gives the following account of an attack upon two Mormon elders: President Rich of the southern propaganda of the Mormon church, today received the first details of the whipping of Elders John M. Myler and F. P. Carlisle, Sunday last, in Butler county, Ky., by a mob of twenty masked men. The account given by Rich states that the mob came to the house where the elders were staying shortly before daylight, broke in the doors and made the elders follow to the woods. There the Mormons were stripped to the waist and each was given fourteen lashes on the bare back and warned to leave the county at once.

You Try It.

If Shiloh's Cough and Consumption Cure, which is sold for the small price of 25 cts., 50 cts. and \$1.00, does not cure, take the bottle back and we will refund your money. Sold for over fifty years on this guarantee. Price, 25 cts. and 50 cts. For sale at Z. C. M. I. Drug Dept.

NEW ST. JAMES.

The Leading Medium Price Hotel.

DENVER.

NEWS FROM OVER THE STATE.

FELL FROM GRACE.

Mt. Pleasant Young Men Arrested For Cattle Stealing.

PRICE PAID WAS \$15,400

W. H. H. SPOFFORD THE PURCHASER OF THE PROPERTY.

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After Dinner

To assist digestion, relieve distress after eating or drinking too heartily, to prevent constipation, take

Hood's Pills

Sold everywhere. 25 cents.

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U. S. DEPOSITORY.

McCORMICK & CO., BANKERS,

Salt Lake City, Utah.

Walker Brothers, BANKERS,

Salt Lake City, Utah.

Wells, Fargo & Co's Bank,

Salt Lake City, Utah.

U. S. DEPOSITORY,

Deseret National Bank,

Salt Lake City, Utah.

COMMERCIAL NATIONAL BANK,

Salt Lake City, Utah.

The Deseret Savings Bank

T. R. JONES & CO., BANKERS,

Salt Lake City, Utah.

DRY GOODS STORE.

Bargains in Our Dress Goods Department.

2,000 YARDS DRESS GOODS.

500 Choice full-blooded Shropshire Rams, one and two years old.

200 Full-blooded Hampshire.

300 High-grade French Merinos.

W. L. WHITE, Utah Slaughter Co.,

Salt Lake City, Utah.

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evidence that people like that practice of giving

"2,000 pounds in every ton" is the fact that they come back again and again to duplicate their orders. Do you get what's coming to you every time?

RAMBERG CO., 161 Main.